

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Case No. :18-cv-1776 (JRT/JFD)

This Document Relates to:

All Actions

**ORDER ON JOINT
MOTION REGARDING
CONTINUED SEALING**

Before the Court is the Joint Motion Regarding Continued Sealing (Dkt. No.1815) pursuant to Local Rule 5.6(d), concerning confidential documents filed under seal. Having reviewed the motions and the documents filed under seal, as well as all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that the Joint Motion (Dkt No. 1815) is **GRANTED IN PART AND DENIED IN PART**, as follows:

1. The parties agree to unseal the following documents. Accordingly, the Clerk is directed to unseal the following documents 28 days after the issuance of this Order unless a timely motion for further consideration is filed pursuant to Local Rule 5.6(d)(3):

Dkt. Nos. 1474, 1474-2, 1474-3, 1474-5, 1474-6, 1474-8, 1474-9, 1474-10, 1474-11, 1474-12, 1474-13, 1474-14, and 1474-15.

2. The parties disagree as to the scope of redactions at Dkt. No. 1470. The Court adopts Defendants' proposed redactions as attached to the Joint Motion except the redactions on pages 14 and 22, which are disallowed and shall be removed. There are multiple redactions on page 22 – all are disallowed.
 - a. Accordingly, the Clerk is directed to keep the following document sealed:

Dkt. No. 1470

- b. On or before **August 31, 2023**, the filing party must file a redacted public version of Dkt. No. 1470 as set forth above.
3. The parties disagree as to Dkt. No. 1474-1. Having reviewed the document, the Court finds that good cause has been shown for continued sealing because the document contains a significant volume of citations to and discussion of documents and testimony that contain confidential business information of parties and third parties. The Court attempted targeted redactions, but found doing so impractical given that material needing redaction was liberally distributed throughout the document. The Court concludes that redactions are impractical.
 - a. Accordingly, the Clerk is directed to keep the following document sealed:

Dkt. No. 1474-1.
4. The parties disagree as to Dkt. Nos. 1474-4, 1474-7, and 1730. Having reviewed the documents, the Court does not find good cause for continued sealing as the documents do not appear to have maintained any commercial sensitivity they might once have had. Document 1474-4 is dated 2006 and the information in it is even older; Document 1474-7 is ten years old, and the Court finds much of the redacted material not commercially sensitive to begin with; in Document 1730, only a single sentence is sought to be redacted, to keep under seal the identity of the company from which a particular data item related to the mortality rate of piglets was obtained. The Court notes, however, that the company is named in the sentence immediately following the sentence whose redaction is sought.
 - a. Accordingly, the Clerk is directed to unseal the following documents 28 days after the issuance of this Order unless a timely motion for further consideration is filed pursuant to Local Rule 5.6(d)(3):

Dkt. No. 1474-4, 1474-7, and 1730.
5. The parties disagree as to the scope of redactions of Dkt. No. 1625. Having reviewed the document, the Court finds that there are quotes from internal company emails in the document and that Defendants seek redaction of those emails. However, the Court characterizes these emails as general descriptions without quantitative data. The Court will allow the Defendants' requested redaction to footnote 36 on page eight. Unlike the other requested redactions, the redaction in footnote 36 cloaks a description of the decoding of a document which, when decoded, attributes precise quantitative data to specific companies, by name.

- a. Accordingly, the Clerk is directed to keep the following document sealed:

Dkt. No. 1625.
- b. On or before **August 31, 2023**, the filing party must file a redacted public version of Dkt. No. 1625 that redacts only footnote 36 on page eight.

Dated: August 1, 2023

s/ John F. Docherty
JOHN F. DOCHERTY
United States Magistrate Judge